

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
DELANO CONNOLLY,

Plaintiff,

-against-

THE CITY OF NEW YORK, JOSEPH CARDIERI, PAUL
SAVARESE, IAN SANGENITO, ALAN SPUTZ, SUSAN
STARKER and FREDDA MONN,

Defendants.
-----X

**REPLY DECLARATION OF
ASSISTANT CORPORATION
COUNSEL ERIC MURRELL
IN FURTHER SUPPORT OF
DEFENDANTS' PARTIAL
MOTION TO DISMISS THE
COMPLAINT**

16-CV-00465 (WFK) (VMS)

Eric Murrell declares that the following is true and correct under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for the Defendants.
2. I submit this declaration in support of Defendants' partial motion to dismiss the Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure ("FRCP") in order to place documents relied upon by the Defendants in their motion before the Court.
3. Defendants annex the following documents in support of their motion which are referred to in the Complaint, are matters of judicial notice that may be taken, are documents in the plaintiff's possession, and are documents of which plaintiff had knowledge and upon which plaintiff relied in bringing this action:

Exhibit A: Plaintiff's U.S. Equal Employment Opportunity Commission Charge No. 520-2012-02571

Exhibit B: Plaintiff's U.S. Equal Employment Opportunity Commission Charge No. 532-2014-01527

Exhibit C: Determination of Grievance Step II - ACS No. 66053-945-002

Exhibit D: Amended Verified Complaint in Delano Connolly v. City of New York, Paul J. Savarese and Does 1-10 (Index No. 501761/13)

I declare under penalty of perjury that the foregoing is true and correct.

Executed On: New York, New York
September 30, 2016

A handwritten signature in dark ink, appearing to read "Eric Murrell", written over a horizontal line.

Eric Murrell
Assistant Corporation Counsel